IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 3531 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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NP PATEL & 12 - Petitioner(s)
Versus
STATE OF GUAJRAT & 2 - Respondent(s)

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Appearance :
MR RK MISHRA for Petitioner(s) : 1,None for Petitioner(s) : None for Petitioner No(s).: for Petitioner(s) : 2 - 13.
RULE SERVED BY DS for Respondent(s) : 1 - 2.
MR VH DESAI for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 06/09/2006

ORAL JUDGMENT

1. By way of this petition under Article 226 of the Constitution of India, the respective petitioners have

prayed to quash and set aside the order dated 22nd April, 1996 passed by the respondent – Director, Primary Education, Gandhinagar, by which, the Director of Primary Education directed the respondent No.3 to close down the institution in which the petitioners were working. It is required to be noted that the impugned order which is challenged in the present Special Civil Application is not placed on record. What is placed on record is the show-cause notice issued by the respondent No.3 by which, the petitioners were directed to show cause as to why their services should not be terminated as the Director of Primary Education passed an order dated 22th April, 1996 to close down the institution. Under the circumstances, in absence of the impugned order dated 22nd April, 1996 on record, it is not possible to decide the present Special Civil Application.

2. Under the circumstances, the present Special Civil Application is dismissed. Rule is discharged.

[M.R.SHAH, J.]

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